

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re SANDISK SSDs LITIGATION.

Case No. 23-cv-04152-RFL (LJC)

**ORDER REGARDING IN CAMERA
REVIEW FOR REMAINING
PRIVILEGE DISPUTES**

Re: Dkt. No. 176

The Court understands from the parties' latest joint letter (ECF No. 176) that the parties have narrowed their disputes regarding Defendants' assertions of privilege to eight documents or collections of related documents: four Microsoft Teams chat threads, three email threads (including attachments), and one PowerPoint presentation.¹ Plaintiffs request that the Court review those documents in camera. Defendants "do not object to Plaintiffs' request for an *in camera* inspection if the Court is so inclined," and if so, ask for leave to provide a declaration in support of their privilege designations. ECF No. 176 at 4.

The Court finds that in camera review of this relatively limited scope of documents would be the most efficient process to resolve the remaining disputes, and based on Defendants' non-objection, so orders. Defendants shall arrange with the Courtroom Deputy for submission of the documents at issue to the Court by email or other means no later than June 30, 2025.

By the same deadline, each party may file a separate letter brief not exceeding four pages and/or any declaration(s) they believe to be appropriate to support their positions as to whether the documents are privileged. The parties may alternatively rest on their current letter and the Court's

¹ If that understanding is incorrect, the parties must file notice to that effect no later than June 24, 2025.

1 knowledge of the relevant law if they prefer, except that if any party disputes that California law
2 governs privilege in this action, they must address that issue in a letter brief. *See* Fed. R. Evid.
3 501 (“[S]tate law governs privilege regarding a claim or defense for which state law supplies the
4 rule of decision.”); *In re Uber Techs., Inc., Passenger Sexual Assault Litig.*, No. 23-md-03084-
5 CRB (LJC), 2024 WL 4907142, at *1 (N.D. Cal. Nov. 27, 2024); *Holley v. Gilead Scis., Inc.*, No.
6 18-cv-06972 JST (JSC), 2021 WL 2371890, at *2 (N.D. Cal. June 10, 2021) (applying California
7 choice-of-law rules to conclude that California privilege law applied in a case with “factual
8 connections to multiple states,” where no party introduced evidence of a conflict of laws or
9 another state’s governmental interest in applying its own law).

10 **IT IS SO ORDERED.**

11 Dated: June 23, 2025

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LISA J. CISNEROS
United States Magistrate Judge